

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS):     	TELEPHONE:	FOR COURT USE ONLY
ATTORNEY FOR (NAME): Insert name of court, judicial district or branch court, if any, and post office and street address:		
SHORT TITLE:		
CROSS-COMPLAINANT:		
CROSS-DEFENDANT:		
<input type="checkbox"/> DOES 1 TO _____		
<b>CROSS-COMPLAINT—Personal Injury, Property Damage, Wrongful Death</b> <input type="checkbox"/> Apportionment of Fault <input type="checkbox"/> Declaratory Relief <input type="checkbox"/> Indemnification <input type="checkbox"/> Other ( <i>specify</i> ):		CASE NUMBER:

1. This pleading, including exhibits and attachments, consists of the following number of pages: \_\_\_\_\_

CROSS-COMPLAINANT (*name*):

SAYS AGAINST CROSS-DEFENDANT (*name*):

2. ☐ The following causes of action are attached and the statements below apply to each: (*In the attachments plaintiff means cross-complainant and defendant means cross-defendant.*)

- |  |  |
|--|--|
| <input type="checkbox"/> Motor Vehicle<br><input type="checkbox"/> General Negligence<br><input type="checkbox"/> Intentional Tort<br><input type="checkbox"/> Other ( <i>specify</i> ): | <input type="checkbox"/> Products Liability<br><input type="checkbox"/> Premises Liability |
|--|--|

3. a. Each cross-complainant named above is a competent adult

☐ **Except** cross-complainant (*name*):

- ☐ a corporation qualified to do business in California
- ☐ an unincorporated entity (*describe*):
- ☐ a public entity (*describe*):
- ☐ a minor    ☐ an adult
  - ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
  - ☐ other (*specify*):
- ☐ other (*specify*):

b. ☐ Information about additional cross-complainants who are not competent adults is contained in  
 Cross-Complaint--Attachment 3b. (Continued)

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**CROSS-COMPLAINT—Personal Injury, Property Damage, Wrongful Death**

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4. a. Each cross-defendant named above is a natural person

☐ **Except** cross-defendant (*name*):

☐ **Except** cross-defendant (*name*):

☐ a business organization, form unknown

☐ a corporation

☐ an unincorporated entity (*describe*):

☐ a public entity (*describe*):

☐ other (*specify*):

☐ a business organization, form unknown

☐ a corporation

☐ an unincorporated entity (*describe*):

☐ a public entity (*describe*):

☐ other (*specify*):

- b. The true names and capacities of cross-defendants sued as Does are unknown to cross-complainant.

- c. ☐ Information about additional cross-defendants who are not natural persons is contained in Cross-Complaint—Attachment 4c.

5. ☐ Cross-complainant is required to comply with a claims statute, **and**

a. ☐ has complied with applicable claims statutes, **or**

b. ☐ is excused from complying because (*specify*):

6. ☐ \_\_\_\_\_ **Cause of Action—Indemnification**  
(number)

- a. I am informed and believe that cross-defendants were the agents, employees, co-venturers, partners, or in some manner agents or principals, or both, for each other and were acting within the course and scope of their agency or employment.
- b. The principal action alleges among other things conduct entitling plaintiff to compensatory damages against me. I contend that I am not liable for events and occurrences described in plaintiff's complaint.
- c. If I am found in some manner responsible to plaintiff or to anyone else as a result of the incidents and occurrences described in plaintiff's complaint, my liability would be based solely upon a derivative form of liability not resulting from my conduct, but only from an obligation imposed upon me by law; therefore, I would be entitled to complete indemnity from each cross-defendant.

7. ☐ \_\_\_\_\_ **Cause of Action—Apportionment of Fault**  
(number)

I am informed and believe that each cross-defendant was responsible, in whole or in part, for the injuries, if any, suffered by plaintiff. If I am judged liable to plaintiff, each cross-defendant should be required:

- a. to pay a share of plaintiff's judgment which is in proportion to the comparative negligence of that cross-defendant in causing plaintiff's damages and
- b. to reimburse me for any payments I make to plaintiff in excess of my proportional share of all cross-defendants' negligence.

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**CROSS-COMPLAINT—Personal Injury, Property Damage, Wrongful Death (Continued)**

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8. ☐ \_\_\_\_\_ **Cause of Action—Declaratory Relief**  
(number)

An actual controversy exists between the parties concerning their respective rights and duties because cross-complainant contends and cross-defendant disputes ☐ as specified in Cross-Complaint--Attachment 8  
☐ as follows:

9. ☐ \_\_\_\_\_ **Cause of Action—(Specify):**  
(number)

10. CROSS-COMPLAINANT PRAYS

For judgment for costs of suit; for such relief as is fair, just, and equitable; and for

☐ compensatory damages

☐ **(Superior Court)** according to proof.

☐ **(Municipal and Justice Court)** in the amount of \$ \_\_\_\_\_

☐ total and complete indemnity for any judgments rendered against me.

☐ judgment in a proportionate share from each cross-defendant.

☐ a judicial determination that cross-defendants were the legal cause of any injuries and damages sustained by plaintiff and that cross-defendants indemnify me, either completely or partially, for any sums of money which may be recovered against me by plaintiff.

☐ other (specify):

.....  
(Type or print name)

\_\_\_\_\_  
(Signature of cross-complainant or attorney)